

REMARKS

Claims 1-26 are pending. Claims 1-6, 8, 10-15, 17, 19-20, 22 and 26 are amended herein. No new matter is added as a result of the claim amendments.

112 Rejections

The instant Office Actions states that Claim 4 is rejected under 35 U.S.C. § 112, first paragraph. Claim 4 is amended to satisfy the requirements of 35 U.S.C. § 112, first paragraph.

102 Rejections

The instant Office Actions states that Claims 1-6, 9, 11-15, 18, 20 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by Monteiro et al. ("Monteiro;" U.S. Patent No. 5,983,005). The Applicants have reviewed the cited reference and respectfully submit that the present invention as recited in Claims 1-6, 9, 11-15, 18, 20 and 22 is not anticipated nor rendered obvious by Monteiro.

Independent Claim 1 recites that an embodiment in accordance with the present invention is directed to a method that includes "encoding an item of media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream, wherein said first multiple description bitstream and said second multiple description bitstream are decodable independent of one another." Claims 2-6 and 9 are dependent on Claim 1 and recite additional limitations.

Independent Claim 11 recites that an embodiment in accordance with the present invention is directed to a method that includes "encoding an item comprising said media data to be streamed to said client into a first

complementary multiple description bitstream and into a second complementary multiple description bitstream, each of said first and second complementary multiple description bitstreams containing complementary information not included in the other of said first and second complementary multiple description bitstreams, and wherein each of said first and second complementary multiple description bitstreams is useful to said client independent of the other of said first and second complementary multiple description bitstreams.” Claims 12-15 and 18 are dependent on Claim 11 and recite additional limitations.

Independent Claim 20 recites that an embodiment in accordance with the present invention is directed to a system that includes “a first server having memory coupled thereto, ... said memory coupled to said first server having a first multiple description bitstream of encoded said media data stored thereon, ... a second server having memory coupled thereto, ... said memory coupled to said second server having a second multiple description bitstream of encoded said media data stored thereon, ... wherein said first multiple description bitstream and said second multiple description bitstream are decodable independent of one another.” Claim 22 is dependent on Claim 20 and recites additional limitations.

The instant Office Action implicitly acknowledges that Monteiro does not teach encoding, and attempts to rectify this shortcoming by stating that decoding implies encoding. However, Applicants respectfully assert that a particular type of encoding is claimed. That is, Applicants respectfully assert that, according to the claims, an item of media data is encoded in a particular way. Specifically, an item of media data is encoded into multiple, separate bitstreams, where the separate bitstreams have the property that they are decodable independently of one another. Applicants

respectfully submit that media data, encoded to have the property recited in independent Claims 1, 11 and 20, is not shown or suggested by Monteiro.

Therefore, Applicants respectfully submit that Monteiro does not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 11 and 20, and that these claims are considered patentable over Monteiro. Because Claims 2-6, 9, 12-15, 18 and 22 depend from either Claim 1, 11 or 20 and contain additional limitations that are patentably distinguishable over Monteiro, these claims are also considered patentable over Monteiro. Therefore, Applicants respectfully submit that the basis for rejecting Claims 1-6, 9, 11-15, 18, 20 and 22 under 35 U.S.C. § 102(b) is traversed.

Furthermore, Applicants respectfully submit that media data, encoded to have the properties recited in Claims 2-4 and 12-13, is not shown or suggested by Monteiro. For this additional reason, Applicants respectfully submit that the basis for rejecting Claims 2-4 and 12-13 under 35 U.S.C. § 102(b) is traversed.

103 Rejections

The instant Office Actions states that Claims 7-8, 10, 16-17, 19 and 23-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Monteiro in view of Gershman et al. ("Gershman;" U.S. Patent No. 6,401,085). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 7-8, 10, 16-17, 19 and 23-26 is not anticipated nor rendered obvious by Monteiro and Gershman, alone or in combination.

Claims 7-8 and 10 are dependent on Claim 1 and recite additional limitations. Claims 16-17 and 19 are dependent on Claim 11 and recite additional limitations. Claims 23-26 are dependent on Claim 20 and recite additional limitations. Hence, by demonstrating that Monteiro and Gershman (alone or in combination) do not show or suggest the limitations of Claims 1, 11 and 20, it is also demonstrated that Monteiro and Gershman (alone or in combination) do not show or suggest the limitations of Claims 7-8, 10, 16-17, 19 and 23-26.

As presented above, Applicants respectfully submit that Monteiro does not show or suggest the embodiments of the present invention recited in independent Claims 1, 11 and 20. Applicants also respectfully submit that Gershman does not overcome the shortcomings of Monteiro.

Specifically, Applicants respectfully submit that Gershman, alone or in combination with Monteiro, does not show or suggest media data that is encoded to have the property recited in Claims 1, 11 and 20.

Therefore, Applicants respectfully submit that Gershman, alone or in combination with Monteiro, does not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 11 and 20, and that these claims are considered patentable over Monteiro and Gershman (alone or in combination). Because Claims 7-8, 10, 16-17, 19 and 23-26 depend from either Claim 1, 11 or 20 and contain additional limitations that are patentably distinguishable over Monteiro and Gershman (alone or in combination), these claims are also considered patentable over Monteiro and Gershman (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 7-8, 10, 16-17, 19 and 23-26 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

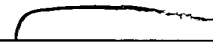
Based on the arguments presented above, Applicants respectfully assert that Claims 1-26 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

Applicants have reviewed the reference cited but not relied upon. Applicants did not find this reference to show or suggest the present claimed invention: U.S. Patent No. 5,706,053.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
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